

PSYCHOLOGY EXAMINING BOARD  
REGULAR MEETING  
SEPTEMBER 12, 2000

MEMBERS PRESENT: Barbara Van Horne, Ph.D.; James Fico, Ph.D.; Mariellen Fischer, Ph.D.; Ann Neviaser; McArthur Weddle

STAFF PRESENT: Kimberly Nania, LeeAnn Cooper, Juliana Reimann, Division of Enforcement (for portion of meeting)

LEGAL COUNSEL: Wayne Austin

GUEST: Sarah Bowen, WPA

CALL TO ORDER - ROLL CALL

Chair Barbara Van Horne called the meeting to order at 9:12 a.m. Roll call was taken. McArthur Weddle was welcomed to the board.

APPROVAL OF AGENDA

Amendments: Discussion of Election of Vice Chair

MOTION: James Fico moved, seconded by Mariellen Fischer, to approve the agenda as amended. Motion carried unanimously.

APPROVAL OF MINUTES

Amendments:

Top of Page 3, after "...the Board will continue to explore these issues" add Barbara Van Horne was asked to write to the ASPPB requesting guidance in handling telepractice issues.

MOTION: Ann Neviaser moved, seconded by James Fico, to approve the minutes of July 28, 2000 as amended. Motion carried unanimously.

PRESENTATION OF PROPOSED STIPULATION

JAMES MILLER, PHD

Attorney Jack Zwieg presented a proposed stipulation in the matter concerning James Miller, Ph.D. This matter will be deliberated on in closed session.

STANDARDS FOR APPROVAL OF PROGRAMS FOR DRUG TESTING

LeeAnn Cooper summarized and clarified the standards for approval of drug testing programs. Rules are being promulgated to incorporate these standards and it is anticipated that the standards will be attached to RL7 by early next year. Ms. Cooper explained that all new people coming in must participate in an approved program. It is hoped that those currently under order or contract will convert to an approved program or that boards could grant a modification in the future provided they convert to the program at that time.

#### CORRESPONDENCE RELATING TO THE ETHICS REQUIREMENT

Patrick Braatz requested clarification on how to respond to questions he frequently receives concerning acceptable content of "ethics" or "risk management" continuing education courses. Mr. Braatz and the board discussed a letter from Laura L. Riggle, Ph.D., which addresses the problems of interpreting these terms. An article will be written for the *Regulatory Digest* to fully explain the ethics CE requirement.

#### SECRETARY CUMMINGS

Secretary Cummings reported that the psychotherapy advisory committee is discussing the possibility of creating a license for social workers, marriage and family therapists, professional counselors and music, art and dance therapists that is separate from certification. The committee will be working with HFS to come up with requirements that are acceptable to them.

The department has had a couple of department-wide meetings regarding telepractice that included representatives from the medical and nursing boards. The Psychology Board has requested the ASPPB to formulate guidelines and Secretary Cummings suggested that the board also look at the guidelines of the nurse compact. It is anticipated that the CPQ will be a good method of handling enforcement issues that arise as a result of telepractice. The department will continue to look into this phenomenon.

#### ETHICS BOARD OPINION: BOARD MEMBERS TESTIFYING AS EXPERT WITNESSES

Attorney Wayne Austin discussed with the board the recent opinion from the legal counsel for the Ethics Board regarding a Podiatrists Affiliated Credentialing Board member serving as an expert witness in a judicial matter. Attorney Austin explained that board members can still serve as expert witnesses in cases that would not come up later as discipline cases and that they could also serve as expert witnesses in other states. He recommended that, any time a board member wishes to serve as an expert witness, he/she write a letter to the Ethics Board for an opinion and reminded board members that recusal is neither advisable nor acceptable.

#### REPORTS ON PENDING COURT CASES, DISCIPLINARY CASES AND ADMINISTRATIVE RULES

Ann Neviaser asked why administrative rules regarding psychology CE programs and psychology temporary practice are still in draft form. Attorney Austin will check on the status of these rules.

#### CORRESPONDENCE RELATED TO STREAMLINING LICENSURE REQUIREMENTS

This was an informational item. The board discussed promulgating rules to accept verification from ASPPB of primary documentation for applicants who do not have CPQ but have their credentials reviewed by ASPPB and banked. Discussion of ASPPB credentials banking will be placed on next month's agenda.

#### DISCUSSION WITH WPA

Sarah Bowen expressed the association's concern about the vagueness of the ethics requirement as it is stated in the rules. There seem to be two areas of confusion for psychologists: one is the situation in which a provider puts "ethics" in the title, but the content of the course does not address ethics as intended by the rule, and the psychologist is left to rely on his or her own judgment. The other issue goes beyond the term "ethics" and considers risk management and jurisprudence. There are now more employers who offer CEs to their employees and even though, as an association, they may be meeting the requirements of their own record-keeping or rules and regulations, they may not necessarily be meeting the requirements of the rules and regulations governing psychology. Ms. Bowen stated that she would therefore support an article of clarification regarding the ethics requirement in the *Regulatory Digest* or in the *Wisconsin Psychologist*.

Ms. Bowen stated that the association has an ongoing interest in discussions of the psychotherapy advisory committee regarding licensure of social workers, marriage and family therapists, professional counselors and music, art and dance therapists. While the proposed requirement of licensure has been a welcomed development, of concern is that the committee's proposed practice definition inappropriately overlaps with the practice of psychology, and may result in some mental health care professionals providing services that they are not qualified to provide. This, of course, would have adverse implications both for the consumer and for the psychotherapist. Ms. Bowen recommended that the board closely monitor the materials generated from the activities of the psychotherapy advisory committee.

Ann Neviaser will revise the answer to the question posed to the board regarding supervisory guidelines before it is published in the September/October issue of the *Wisconsin Psychologist*.

#### ADJOURN TO CLOSED SESSION

MOTION: McArthur Weddle moved, seconded by James Fico, to go into closed session pursuant to Chapter 19.85 (1)(a)(b)(f) and (g), Wis. Stats., for the

purposes of deliberation of proposed stipulations that may be signed after mailing of agenda, reviewing case status report, conducting oral interviews, reviewing applicant files, reviewing additional applicant information, and consulting with legal counsel. Roll call vote: James Fico - yes, Mariellen Fischer - yes, Ann Neviaser - yes, Barbara Van Horne - yes, McArthur Weddle - yes. Motion carried unanimously.

Open session recessed at 11:03 a.m.

#### RECONVENE IN OPEN SESSION

MOTION: Ann Neviaser moved, seconded by McArthur Weddle, to reconvene in open session. Motion carried unanimously.

Open session reconvened at 4:32 p.m.

#### VOTING ON ITEMS CONSIDERED/DELIBERATED ON IN CLOSED SESSION

##### ORAL INTERVIEWS

MOTION: Mariellen Fischer moved, seconded by James Fico, to grant licenses for the practice of psychology to **Barbara Beaver, PHD; Lisa Buhs, PHD; Kathleen Clarke, PHD; Robert Dixon, PHD; Lawrence Egel, PHD; Randi Erickson, PHD; Donna Laughrin, PHD; Karen Malsch, PHD; Kristine Nehring, PSYD; Kari Primo-Liddy, PHD; Amy Ridley Meyers, PHD; Rachel Roeglin, PHD; Kevin Rooney, PSYD and Jill Wollenzien-Daniels, PHD.** Motion carried unanimously.

##### REVIEW OF APPLICANT FILES

MOTION: Mariellen Fischer moved, seconded by James Fico, to admit **Michael George Feeney, PHD; Shelia M. B. Holton, PSYD; Yana Suchy, PHD; and Ronny Wright, PSYD** to the ethics exam and personal appearance. Motion carried unanimously.

MOTION: James Fico moved, seconded by Ann Neviaser, to admit the following to the ethics exam and personal appearance: **Diane C. Garrison, PHD**, with a letter to her requesting more supervision documentation for supervision and utilization review; **Kristin M. Keeler, PHD**, with a letter to her requesting more supervision documentation for college in a college setting; **John W. Kolhoven, PHD**, with a letter to him stating that he may add sex offender therapy, but requesting more supervision documentation for sex therapy, mediation and family therapy; **Amy Heffelfinger Miles, PHD**, with a letter to her requesting more supervision documentation for forensic evaluations and college in a college setting, and to ask her to clarify that she was assistant professor at the Medical College of Wisconsin while her address

was in Missouri; and **David M. Williams, PSYD**, with a letter requesting more supervision documentation for group therapy, college in a college setting and geriatric. Motion carried unanimously.

MOTION: James Fico moved, seconded by McArthur Weddle, to send a new nature of intended practice form and a letter to **Todd Hamilton, PHD**, requesting more supervision documentation for marital/conjoint, adult and grief therapy. Motion carried unanimously.

MOTION: James Fico moved, seconded by McArthur Weddle, to send a letter to **David F. Mannelli, PSYD**, requesting more supervision documentation for children, college in a college setting, behavioral medicine, family and teaching, and to request his supervisor, Bernard Blom, PHD, to complete and correct the supervisory form for Dr. Mannelli, alerting Dr. Mannelli that this letter was sent. Motion carried unanimously.

MOTION: Mariellen Fischer moved, seconded by McArthur Weddle, to send a letter to **David M. Suire, PHD**, requesting more supervision documentation for behavioral medicine, behavioral modification, neuropsychology, forensic evaluations, biofeedback, adolescents, and college in a college setting. Motion carried unanimously.

MOTION: Mariellen Fischer moved, seconded by McArthur Weddle, to send a letter to **Linda Marie Dwyer** stating that the board appreciates her efforts to expedite the application process and to ask her to complete a new nature of intended practice form. Motion carried unanimously.

#### CASE STATUS REPORTS

MOTION: Ann Neviasser moved, seconded by McArthur Weddle, to close **00PSY006** for no violation. Motion carried unanimously.

MOTION: Ann Neviasser moved, seconded by Mariellen Fischer, to close **00PSY014** for no violation. Motion carried unanimously.

MOTION: Mariellen Fischer moved, seconded by James Fico, to close **94PSY062** for prosecutorial discretion. Motion carried unanimously.

#### PROPOSED STIPULATION

JAMES MILLER, PHD

MOTION: McArthur Weddle moved, seconded by James Fico, to adopt the proposed stipulation in the matter concerning **James Miller, PHD**. Ann Neviaser abstained. Motion carried.

#### ADMINISTRATIVE WARNINGS

MOTION: McArthur Weddle moved, seconded by James Fico, to send administrative warnings to **Terrill L. Bruett, EDD; John R. Briggs, PHD; Stephen A. Gilbertson, MS; and Anton Smets, PHD**. Motion carried unanimously.

#### INFORMATIONAL ITEMS

##### LETTER FROM ELIZABETH GATES, PHD

Attorney Wayne Austin will respond to a letter from Elizabeth Gates, PHD, regarding licensure.

#### ASPPB ANNUAL MEETING

MOTION: James Fico moved, seconded by Ann Neviaser, to approve Barbara Van Horne as the Wisconsin delegate to the ASPPB annual meeting. Motion carried unanimously.

#### NOMINATION OF ASPPB FELLOW

The board was informed that their ASPPB nomination Catherine Yarrow has been elected fellow.

#### ELECTION OF BOARD VICE CHAIR

Elections will be held in January for the vice chair position.

#### 2001 MEETING DATES

The following meeting dates have been set for 2001: January 12, February 7, March 13, April 17, May 18, June 25, July 31, September 10, October 18, November 16, December 17.

#### ADJOURNMENT

MOTION: Ann Neviaser moved, seconded by James Fico, to adjourn the meeting. Motion carried unanimously.

The meeting was adjourned at 5:11 p.m.